

To: Dermer, Michele[Dermer.Michele@epa.gov]
From: Smith, Robert-Eu
Sent: Mon 3/2/2015 11:54:58 PM
Subject: FW: Public comment to the 1st UIC ICR relative to CADOGG

Michele, this is an interesting email exchange. Often in the past, commenters would use various opportunities (draft rulemakings, draft ICRS, NODAs, etc.) to raise issues that are unrelated to a call for specific requests in a Federal Register Notice. The UIC Program ICR materials are at the Office of Management and Budget. They are under review. OMB will determine if the ICR is to be modified based on their review and timetable. We have no control on what the timeline for the completion of the review. They also have access to the comment. Just so you know, no comments were received on the second ICR FRN. The two comments (that included the Center for Biological Diversity) to the first FRN did not address the proposed ICR burden and cost as requested. What was presented by the commenters was not relevant to the information requested that would determine if we (EPA) should increase burden, lower burden and/or change the assumptions that govern the bottom line of burden for the whole UIC program nationally. The ICR is not a state specific assessment (good, bad or indifferent). This comment doesn't address the structure, assumptions or burden of the ICR. The comment is specific to one Class II injection well agency. Now if HQ needs to be involved in helping to address the comment, it would have to be separate from the UIC Information Collection Request.

Ex. 5 - Deliberative Process

Michele thanks. Keep me informed.

From: Engelman, Alexa
Sent: Monday, March 02, 2015 3:52 PM
To: Dermer, Michele; Smith, Robert-Eu
Cc: Moffatt, Brett; Albright, David; McWhirter, Lisa
Subject: RE: Public comment to the 1st UIC ICR relative to CADOGG

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

Best,

Alexa

From: Dermer, Michele

Sent: Monday, March 02, 2015 11:59 AM

To: Smith, Robert-Eu

Cc: Engelman, Alexa; Moffatt, Brett; Albright, David; McWhirter, Lisa

Subject: FW: Public comment to the 1st UIC ICR relative to CADOGG

Importance: High

Hello Bob,

Thanks for sending this along. I believe we also have a letter from Center for Biological Diversity, but I do not seem to have that letter in my files for comparison with the one you've sent.

Ex. 5 - Deliberative Process

Sincerely,

Michele

From: Smith, Robert-Eu
Sent: Monday, March 02, 2015 11:50 AM
To: Dermer, Michele
Subject: Public comment to the 1st UIC ICR relative to CADOOG
Importance: High

Good morning Michele. Attach is a public comment received to the proposed UIC Program Information Collection Request Federal Register Notice that was published August 8, 2014. The comment period to the Notice closed on October 7, 2014. While this commenter supposedly met the deadline of October 2, 2014, the comment wasn't posted to the Federal Docket Management System until October 23, 2014. This was 16 days later than it should have been by the HQ docket specialist. In any event, I determined that the comment did not meet the requirements to be addressed in the second FRN published on December 29, 2014, in which the comment period closed on January 28, 2015. The FRN ask commenters to address the following of the Federal Register Notice:

1. EPA is soliciting comments and information to enable it to evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility and clarity of the information to be collected;
4. Minimize the burden of the collection of the information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Only two comments including this was received for both FRNs. Neither addressed the information being requested. These attachment are being sent to you, albeit late, as it not something that can be addressed to the FRN because it is more specific to issues this NGO (Center for Biological Diversity) has with CADOOG's UIC program. You will note the attached letters. The proposed ICR published in August 2014 was looking for information relative to more big picture items such as methodology, assumptions, burden and cost, utility of the information to be collected, quality, clarity, burden reduction, etc.

Whether Region 9 chooses to respond to this comment is at its discretion. I only pass unrelated IRC comments to EPA Regions if there is a state, DI, or territory mentioned as a courtesy. My obligation is to address relevant comments and amend the ICR as appropriate.

If you have any questions, please don't hesitate to call me at 202-564-3895.